



SENATE JOURNAL

STATE OF ILLINOIS

NINETY-SIXTH GENERAL ASSEMBLY

40TH LEGISLATIVE DAY

TUESDAY, APRIL 28, 2009

12:35 O'CLOCK P.M.

SENATE
Daily Journal Index
40th Legislative Day

Action	Page(s)
Committee Meeting Announcements.....	8
Introduction of Senate Bill No. 2453.....	6
Legislative Measure(s) Filed.....	3
Message from the President.....	4
Presentation of Senate Resolution No. 244.....	5
Presentation of Senate Resolutions No'd. 238 - 243.....	5
Report from Assignments Committee.....	6, 7
Report Received.....	3

Bill Number	Legislative Action	Page(s)
SJR 0052	Adopted, as amended.....	9
SR 0244	Committee on Assignments.....	6

The Senate met pursuant to adjournment.
 Senator Tony Munoz, Chicago, Illinois, presiding.
 Prayer by Pastor Sam Henning, Abundant Life Community Church, Alton, Illinois.
 Senator Jacobs led the Senate in the Pledge of Allegiance.

The Journal of Thursday, April 23, 2009, was being read when on motion of Senator Hunter, further reading of same was dispensed with, and unless some Senator had corrections to offer, the Journal would stand approved. No corrections being offered, the Journal was ordered to stand approved.

REPORT RECEIVED

The Secretary placed before the Senate the following report:

Personal Information Protection Act Report, submitted by the Department of Human Services.

The foregoing report was ordered received and placed on file in the Secretary's Office.

LEGISLATIVE MEASURES FILED

The following Floor amendments to the Senate Bills listed below has been filed with the Secretary and referred to the Committee on Assignments:

Senate Floor Amendment No. 2 to Senate Bill 240
 Senate Floor Amendment No. 5 to Senate Bill 1381

The following Committee amendments to the House Bills listed below have been filed with the Secretary and referred to the Committee on Assignments:

Senate Committee Amendment No. 1 to House Bill 22
 Senate Committee Amendment No. 1 to House Bill 80
 Senate Committee Amendment No. 1 to House Bill 164
 Senate Committee Amendment No. 1 to House Bill 268
 Senate Committee Amendment No. 2 to House Bill 442
 Senate Committee Amendment No. 1 to House Bill 567
 Senate Committee Amendment No. 1 to House Bill 699
 Senate Committee Amendment No. 1 to House Bill 810
 Senate Committee Amendment No. 1 to House Bill 811
 Senate Committee Amendment No. 1 to House Bill 880
 Senate Committee Amendment No. 1 to House Bill 883
 Senate Committee Amendment No. 1 to House Bill 917
 Senate Committee Amendment No. 2 to House Bill 926
 Senate Committee Amendment No. 1 to House Bill 964
 Senate Committee Amendment No. 1 to House Bill 1108
 Senate Committee Amendment No. 1 to House Bill 1110
 Senate Committee Amendment No. 1 to House Bill 1119
 Senate Committee Amendment No. 1 to House Bill 1291
 Senate Committee Amendment No. 1 to House Bill 2296
 Senate Committee Amendment No. 1 to House Bill 2322
 Senate Committee Amendment No. 1 to House Bill 2343
 Senate Committee Amendment No. 1 to House Bill 2388
 Senate Committee Amendment No. 2 to House Bill 2405
 Senate Committee Amendment No. 1 to House Bill 2470
 Senate Committee Amendment No. 1 to House Bill 2474
 Senate Committee Amendment No. 1 to House Bill 2537
 Senate Committee Amendment No. 1 to House Bill 2557

[April 28, 2009]

Senate Committee Amendment No. 1 to House Bill 3681
Senate Committee Amendment No. 1 to House Bill 3776
Senate Committee Amendment No. 1 to House Bill 3832
Senate Committee Amendment No. 1 to House Bill 3974
Senate Committee Amendment No. 1 to House Bill 3990

MESSAGES FROM THE PRESIDENT

**OFFICE OF THE SENATE PRESIDENT
STATE OF ILLINOIS**

JOHN J. CULLERTON
SENATE PRESIDENT

327 STATE CAPITOL
SPRINGFIELD, ILLINOIS 62706

April 28, 2009

Ms. Jillayne Rock
Secretary of the Senate
Room 401 State House
Springfield, IL 62706

Dear Madam Secretary:

Pursuant to Rule 3-2(c), I hereby appoint Senator James DeLeo to temporarily replace Senator James Clayborne, Jr. as the Chairperson of the Senate Committee on Assignments. This appointment is effective immediately and will automatically expire upon adjournment of the Senate on Thursday, April 30, 2009.

Sincerely,
s/John J. Cullerton
Senate President

cc: Senate Minority Leader Christine Radogno

**OFFICE OF THE SENATE PRESIDENT
STATE OF ILLINOIS**

JOHN J. CULLERTON
SENATE PRESIDENT

327 STATE CAPITOL
SPRINGFIELD, ILLINOIS 62706

April 28, 2009

Ms. Jillayne Rock
Secretary of the Senate
Room 401 State House
Springfield, IL 62706

Dear Madam Secretary:

Pursuant to Rule 3-2(c), I hereby appoint Senator Ira Silverstein to temporarily replace Senator Michael Bond as a member of the Senate Elections Committee. This appointment is effective immediately and will automatically expire upon adjournment of the Senate Elections Committee.

Sincerely,
s/John J. Cullerton
Senate President

[April 28, 2009]

cc: Senate Minority Leader Christine Radogno

**OFFICE OF THE SENATE PRESIDENT
STATE OF ILLINOIS**

JOHN J. CULLERTON
SENATE PRESIDENT

327 STATE CAPITOL
SPRINGFIELD, ILLINOIS 62706

April 28, 2009

Ms. Jillayne Rock
Secretary of the Senate
Room 401 State House
Springfield, IL 62706

Dear Madam Secretary:

Pursuant to Rule 3-2(c), I hereby appoint Senator Kwame Raoul to temporarily replace Senator Michael Bond as a member of the Senate Transportation Committee. This appointment is effective immediately and will automatically expire upon adjournment of the Senate Transportation Committee.

Sincerely,
s/John J. Cullerton
Senate President

cc: Senate Minority Leader Christine Radogno

PRESENTATION OF RESOLUTIONS

SENATE RESOLUTION NO. 238

Offered by Senator Wilhelmi and all Senators:
Mourns the death of Sam Suitca of Joliet.

SENATE RESOLUTION NO. 239

Offered by Senator Lightford and all Senators:
Mourns the death of Arnie Frank Bryant.

SENATE RESOLUTION NO. 240

Offered by Senator Munoz and all Senators:
Mourns the death of Arturo Velasquez.

SENATE RESOLUTION NO. 241

Offered by Senator Koehler and all Senators:
Mourns the death of Kerry Ann Benassi of Peoria.

SENATE RESOLUTION NO. 242

Offered by Senator Link and all Senators:
Mourns the death of Edward Chrapkowski of Gurnee.

SENATE RESOLUTION NO. 243

Offered by Senator Lauzen and all Senators:
Mourns the death of John Szilage of Batavia.

By unanimous consent, the foregoing resolutions were referred to the Resolutions Consent Calendar.

[April 28, 2009]

Senator Link offered the following Senate Resolution, which was referred to the Committee on Assignments:

SENATE RESOLUTION NO. 244

WHEREAS, Essential tremor is the most common movement disorder, affecting up to 10 million Americans, including four to five percent of people aged 40 to 60, and six to nine percent of people aged 60 and older; and

WHEREAS, Essential tremor is often misdiagnosed as Parkinson's disease, dystonia, and other conditions; and

WHEREAS, Essential tremor is not a normal outcome of aging, as believed by many people including some physicians, but is an abnormal condition, primarily genetic, afflicting people of all ages, including newborns; and

WHEREAS, There are no medications that have been developed for people with essential tremor, the medications used were developed for other conditions and only help 60% of the people affected, and the only treatment specifically designed for essential tremor is brain surgery; and

WHEREAS, Essential tremor interferes with a person's ability to perform activities of daily living such as grooming and writing, and in approximately five percent of cases is totally disabling; and

WHEREAS, Research shows that people with essential tremor have a higher incidence of depression than the general population and that a significant number of these people isolate themselves in their homes; and

WHEREAS, Most people with essential tremor are not diagnosed until after several visits to the physician; and

WHEREAS, Essential tremor is a chronic condition that undermines the American economy through lost wages and work hours and high medical costs in getting an accurate diagnosis; and

WHEREAS, Overcoming the medical, social, and economic issues listed above depends upon research and research funding is dependent upon awareness; therefore, be it

RESOLVED, BY THE SENATE OF THE NINETY-SIXTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that we urge the United States Congress to designate the month of March, 2010 as National Essential Tremor Awareness Month for the purpose of raising awareness about the nation's number one neurological condition, affecting approximately 10 million Americans; and be it further

RESOLVED, That we encourage the people of the United States to observe National Essential Tremor Awareness Month with appropriate educational activities; and be it further

RESOLVED, That suitable copies of this resolution be presented to the Illinois congressional delegation and the leadership of the United States congress.

INTRODUCTION OF BILL

SENATE BILL NO. 2453. Introduced by Senators Sullivan - Trotter, a bill for AN ACT concerning appropriations.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Assignments.

[April 28, 2009]

REPORTS FROM COMMITTEE ON ASSIGNMENTS

Senator DeLeo, Chairperson of the Committee on Assignments, during its April 28, 2009 meeting, reported the following Senate Resolutions have been assigned to the indicated Standing Committees of the Senate:

Agriculture and Conservation: **Senate Joint Resolution No. 56.**

Consumer Protection: **Senate Resolution No. 130.**

Education: **Senate Resolution No. 231; Senate Joint Resolution No. 55.**

Higher Education: **Senate Resolution No. 190.**

Human Services: **Senate Joint Resolutions Numbered 47 and 54.**

State Government and Veterans Affairs: **Senate Resolutions Numbered 166 and 219; Senate Joint Resolutions Numbered 59 and 61.**

Transportation: **Senate Joint Resolution No. 51.**

Senator DeLeo, Chairperson of the Committee on Assignments, during its April 28, 2009 meeting, reported the following House Bills have been assigned to the indicated Standing Committees of the Senate:

Appropriations I: **House Bill No. 13.**

Criminal Law: **House Bills Numbered 800, 935, 1057 and 1316.**

Education: **House Bills Numbered 2254 and 3673.**

Executive: **House Bills Numbered 37 and 789.**

Insurance: **House Bill No. 418.**

Judiciary: **House Bill No. 1202.**

Licensed Activities: **House Bills Numbered 563 and 1010.**

Local Government: **House Bills Numbered 564 and 3729.**

Pensions and Investments: **House Bill No. 1098.**

Public Health: **House Bill No. 277.**

State Government and Veterans Affairs: **House Bills Numbered 372 and 751.**

Senator DeLeo, Chairperson of the Committee on Assignments, during its April 28, 2009 meeting, reported that the Committee recommends that **House Bill No. 497** be re-referred from the Committee on Human Services to the Committee on Public Health.

Senator DeLeo, Chairperson of the Committee on Assignments, during its April 28, 2009 meeting, reported the following Legislative Measures have been assigned to the indicated Standing Committees of the Senate:

Agriculture and Conservation: **Senate Committee Amendment No. 1 to House Bill 3990.**

[April 28, 2009]

Commerce: **Senate Committee Amendment No. 1 to House Bill 442; Senate Committee Amendment No. 1 to House Bill 2470.**

Consumer Protection: **Senate Committee Amendment No. 1 to House Bill 964; Senate Committee Amendment No. 1 to House Bill 2322; Senate Committee Amendment No. 1 to House Bill 2443.**

Criminal Law: **Senate Committee Amendment No. 2 to House Bill 445; Senate Committee Amendment No. 1 to House Bill 699; Senate Floor Amendment No. 1 to House Bill 865; Senate Committee Amendment No. 1 to House Bill 1110; Senate Committee Amendment No. 1 to House Bill 2474; Senate Committee Amendment No. 1 to House Bill 2537; Senate Committee Amendment No. 1 to House Bill 3681.**

Education: **Senate Committee Amendment No. 1 to House Bill 613; Senate Committee Amendment No. 1 to House Bill 1108.**

Elections: **Senate Committee Amendment No. 1 to House Bill 268; Senate Committee Amendment No. 1 to House Bill 567.**

Financial Institutions: **Senate Committee Amendment No. 1 to House Bill 811.**

Human Services: **Senate Committee Amendment No. 1 to House Bill 917; Senate Committee Amendment No. 1 to House Bill 2388.**

Insurance: **Senate Floor Amendment No. 2 to Senate Bill 240; Senate Committee Amendment No. 1 to House Bill 2343.**

Judiciary: **Senate Committee Amendment No. 1 to House Bill 529; Senate Committee Amendment No. 1 to House Bill 2335; Senate Committee Amendment No. 1 to House Bill 2405; Senate Committee Amendment No. 2 to House Bill 2405; Senate Committee Amendment No. 1 to House Bill 3776.**

Licensed Activities: **Senate Committee Amendment No. 1 to House Bill 880.**

Local Government: **Senate Committee Amendment No. 1 to House Bill 883.**

Pensions and Investments: **Senate Committee Amendment No. 1 to House Bill 2557.**

Public Health: **Senate Committee Amendment No. 1 to House Bill 810; Senate Committee Amendment No. 2 to House Bill 926; Senate Committee Amendment No. 1 to House Bill 1327; Senate Committee Amendment No. 1 to House Bill 3974; Senate Floor Amendment No. 5 to Senate Bill 1381.**

Revenue: **Senate Committee Amendment No. 1 to House Bill 3872.**

State Government and Veterans Affairs: **Senate Committee Amendment No. 1 to House Bill 379.**

Transportation: **Senate Committee Amendment No. 1 to House Bill 2296.**

COMMITTEE MEETING ANOUNCEMENTS

The Chair announced that the measures just assigned to the Committees on Agriculture & Conservation, Elections, and Public Health will be heard today in those committees at 2:00 o'clock p.m.

[April 28, 2009]

CONSIDERATION OF RESOLUTION ON SECRETARY'S DESK

Senator Meeks moved that **Senate Joint Resolution No. 52**, on the Secretary's Desk, be taken up for immediate consideration.

The motion prevailed.

The following amendment was offered in the Committee on Education, adopted and ordered printed:

AMENDMENT NO. 1 TO SENATE JOINT RESOLUTION 52

AMENDMENT NO. 1. Amend Senate Joint Resolution 52 by replacing lines 7 through 12 with the following:

"RESOLVED, BY THE SENATE OF THE NINETY-SIXTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE HOUSE OF REPRESENTATIVES CONCURRING HEREIN, that the request made by Mannheim SD 83 - Cook with respect to the limitation of administrative costs, identified in the report filed by the State Board of Education as request WM100-4945, is disapproved; and be it further

RESOLVED, That each of the school district waiver requests identified below by school district name and by the identifying number and subject area of the waiver request as summarized in the report filed by the State Board of Education is approved for only one year and disapproved for the remaining years:

- (1) Rock Island SD 41 - Rock Island, WM100-4911, driver education - behind-the-wheel instruction;
- (2) Reavis THSD 220 - Cook, WM100-5002, driver education - behind-the-wheel instruction;
- (3) Lyons THSD 204 - Cook, WM100-5019, driver education - behind-the-wheel instruction;
and
- (4) Moline USD 40 - Rock Island, WM100-5023, driver education - behind-the-wheel instruction; and be it further

RESOLVED, That the request made by Waukegan CUSD 60 - Lake with respect to driver education - fee limits, identified in the report filed by the State Board of Education as request WM100-5014, is approved for \$350 and disapproved for any remaining amount."

Senator Meeks moved that Senate Joint Resolution No. 52, as amended, be adopted. And on that motion a call of the roll was had resulting as follows:

YEAS 50; NAYS None.

The following voted in the affirmative:

Althoff	Frerichs	Lightford	Righter
Bivins	Garrett	Link	Risinger
Bomke	Haine	Maloney	Sandoval
Burzynski	Harmon	Martinez	Silverstein
Collins	Holmes	McCarter	Steans
Cronin	Hultgren	Meeks	Sullivan
Crotty	Hunter	Millner	Syverson
Dahl	Hutchinson	Munoz	Trotter
DeLeo	Jacobs	Murphy	Viverito
Delgado	Jones, J.	Noland	Wilhelmi
Demuzio	Koehler	Pankau	Mr. President
Dillard	Kotowski	Radogno	
Duffy	Lauzen	Raoul	

The motion prevailed.

And the resolution, as amended, was adopted.

[April 28, 2009]

Ordered that the Secretary inform the House of Representatives thereof and ask their concurrence therein.

At the hour of 1:05 o'clock p.m., the Chair announced that the Senate stand adjourned until Wednesday, April 29, 2009, at 11:00 o'clock a.m.